

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROY STEWART MOORE, et al

Plaintiffs,

v.

SACHA NOAM BARON COHEN, et al

Defendants.

**Index No. 19 Civ. 4977**

**PLAINTIFFS'S REPLY TO OPPOSITION TO MOTION TO DISQUALIFY THE  
HONORABLE JOHN P. CRONAN UNDER 28 U.S.C. § 144.**

Defendants counsel whose clients Sacha Baron Cohen, Showtime and CBS used deceit, lies and trickery to reap huge profits and Emmy nominations to boost their standing in the amoral and highly leftist Hollywood entertainment industry by defaming Chief Justice Roy Moore and harming his wife Kayla Moore in the process, now for their cheap tactical reasons, predictably, like their clients Cohen, Showtime and CBS, train their sites on Moore's counsel to deflect from the demonstrable hard facts, as set forth in the sworn affidavit signed by Plaintiff Roy Moore himself, that this Court has shown extra-judicial prejudice and favoritism, as contrasted to the unbiased way the prior jurist the Honorable Andrew Carter, had fairly administered to this case.

To put it most simply, counsel for the Moore's counsel's representation in other cases are not relevant to the issues now before this Court under 28 U.S.C. 144, and Mr. Klayman, who is not the issue but rather the conduct of this Court is, makes no apologies for attempting to defend his clients zealously within the bounds of the law in these other old unrelated proceedings. It is as if counsel for Defendants would have one believe that federal judges, much like other men

and women, are always unbiased and superior to mankind in general and are thus always unbiased arbiters of fact and law.

Our greatest of Founding Fathers, Thomas Jefferson, who opposed Article III federal judges, as unelected, with life tenure and thus unaccountable to the people, opined on the humanity and thus fallibility of jurists like the rest of us and thus any mortal:

“You seem to consider the judges as the ultimate arbiters of all constitutional questions; a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. Our (federal) judges are as honest as other men, and not more so. They have, with others, the same passions for party, for power, and the privilege of their corps ... Their power is more dangerous as they are in office for life, and not responsible, as the other functionaries are, to elective control.”

Thomas Jefferson, Letter to William C. Jarvis, 1820 as cited by the undersigned counsel in “It Takes a Revolution: Forget the Scandal Industry!,” at page 1 (Post Hill Press, 2020).

The sworn affidavit of Plaintiff Moore, himself with a long distinguished career as a jurist, was not entered into lightly, but only after a thorough review of the record and great introspection and thought, as he too was a judge, most notably the Chief Justice of the Alabama Supreme Court and before that of the lower Alabama courts. He wrote it himself and its contents speak for itself. The plain language of 28 U.S.C. 144 also speaks for itself, and the ruling of another lower court federal judge, cited by Defendants’ counsel, that she alone could defy and ignore the plain language of the statute, and with yet more bias decide on her own recusal or disqualification, is meaningless.

And, whether this Court’s inexplicable repudiation and reversal of Judge Carter’s fair and honest rulings regarding discovery and related matters technically constitute law of the case or not, clearly, in conjunction with the other facts set forth in Judge Moore’s sworn affidavit, and his motion, serve to underscore the latent and obvious extrajudicial bias and prejudice that must

serve as a basis for the Courts' voluntary recusal and/or disqualification. No more and no less need to be said, but it is sad and reprehensible that counsel for Defendants having in bad faith, at a minimum, played other games with this Court, such as over the video of their client, Sacha Baron Cohen, which they falsely designated as confidential under a hugely overly broad protective order that they put forth and was entered by this Court (over Plaintiffs' strong objection) simply because it was taken at an undisclosed and unidentifiable location, seek to make Plaintiffs' counsel the issue, rather than facing up to the facts. But then again, when a mega-Wall Street law firm such as Davis, Wright has large, wealthy and influential Hollywood stars and corporate clients such as Cohen, Showtime and CBS, as opposed to the limited and modest means of the Moores, then anything apparently goes to further their "cash cow," well-paying, and "prestigious" clients' interests.

For these and the reasons set forth in Judge Moore's sworn affidavit and accompanying motion, this Court respectfully must recuse or be disqualified.

**Dated:** May 10, 2021

Respectfully Submitted,

/s/ Larry Klayman  
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*Of Counsel (Pro Hac Vice to be Filed)*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically and served through the court's ECF system to all counsel of record or parties on May 10, 2021

/s/ Larry Klayman  
Larry Klayman, Esq.